

This election is made **with** traverse. Applicants respectfully request reconsideration of the Restriction Requirement and rejoinder within Groups I-IV, Groups V-VIII, Groups XII-XIII, and Groups XV-XVII for the following reasons.

A. Claims 1-9 and 41 (Groups I-IV)

Claims 1-3 and 7-8 are directed to a method of identifying an agent useful in the treatment of a neurodegenerative disease involving assaying for CCE in cells. None of these claims specify that the cells have presenilin, APP or APOE mutation or that the cells overexpress TRP. Accordingly, these claims encompass a method practiced with cells that:

- (a) do *not* have a neurodegenerative disease-linked mutation (claims 1, 7 and 8), or
- (b) have *any* neurodegenerative disease-linked mutation (claim 2) or *any* such mutation linked to AD, Parkinson's disease, Huntington's disease or ALS (claim 3); or
- (c) do *not* overexpress a transient receptor potential protein (TRP) (claim 1).

In the Restriction Requirement, claims 1-3, 7 and 8 are divided, in part, between Groups I-IV. There is no group in the Restriction Requirement that contains claim 1, 2, 3, 7 or 8 as a whole. Thus, even if the claims as set forth in Groups I-IV were examined in four separate applications, none of the following claims would be present or examined: claim 1 (as it relates to a method using cells that *neither* have a neurodegenerative disease-linked mutation *nor* overexpress TRP), claim 2 (as it relates to a method using cells expressing *any* neurodegenerative disease-linked mutation), and claim 3 (as it relates to a method using cells expressing *any* AD-, Parkinson's disease-, Huntington's disease- or ALS-linked mutation).

The Restriction Requirement thus divides the subject matter of claims 1-3, 7 and 8 into parts *that together do not constitute the entire scope of the claims*. Because claims 1-3, 7 and 8 do not occur in complete form anywhere in the Groups set forth in the Restriction Requirement, the division cannot be proper. To permit examination of the full scope of claims 1-3, 7 and 8, Groups I-IV should be rejoined.

B. Claims 10-16 (Groups V-VIII)

Claim 10 is directed to a method of identifying an agent, which inhibits CCE-linked gamma-secretase activity involving assaying CCE in any cell. The claim does not specify that the cells have an AD-linked mutation (or, in particular, a presenilin or APP mutation) or that they overexpress a transient receptor potential protein (TRP).

In the Restriction Requirement, claim 10 is divided, in part, between Groups V-VIII. There is no group in the Restriction Requirement that contains claim 10 as a whole. Thus, even if claims as set forth in Groups V-VIII were examined in four separate applications, claim 10 (as it relates to a method using cells that *neither* have a neurodegenerative disease-linked mutation *nor* overexpress TRP) would not be present or examined. For reasons analogous to those set forth in Section A, above, the claims of Groups V-VIII should be rejoined.

C. Claims 25-28 (Groups XII and XIII)

Claim 25 is directed to a method of identifying an agent that affects A β 42 peptide ratios, levels or production involving assaying for CCE in cells. Claim 26 is directed to a method of identifying an agent that affects A β peptide ratios or production involving

assaying for CCE in cells containing nucleic acid encoding an AD-linked mutation. Neither of these claims specifies that the cells have presenilin or APP mutations.

In the Restriction Requirement, claims 25 and 26 are divided, in part, between Groups XII-XIII. There is no group in the Restriction Requirement that contains claim 25 or 26 as a whole. Thus, even if claims as set forth in Groups XII-XIII were examined in two separate applications, neither of the following claims would be present or examined: claim 25 (as it relates to a method using cells that do not have an AD-linked mutation) and claim 26 (as it relates to a method using cells expressing *any* AD-linked mutation). For reasons analogous to those set forth in Section A, above, the claims of Groups XII and XIII should be rejoined.

D. Claims 31-33 and 37-40 (Groups XV-XVII)

Claims 31-33 are directed to a method of affecting A β 42 peptide ratios, reducing A β 42 peptide levels and/or reducing production of A β 42 peptide involving administering to a cell or extracellular medium an agent that potentiates CCE. None of these claims specifies anything having to do with affecting a TRP, such as, for example, by administering a TRP agonist or regulating expression, maturation or level of a TRP.

In the Restriction Requirement, claims 31, 32 and 33 are divided, in part, between Groups XV-XVII. There is no group in the Restriction Requirement that contains claim 31, 32, or 33 as a whole. Thus, even if claims as set forth in Groups XV-XVII were examined in three separate applications, none of the following claims would be present or examined: claim 31 (as it relates to a method of affecting A β 42 ratio, level or production which involves potentiating CCE but that does not involve affecting a TRP), claim 32 (as it relates

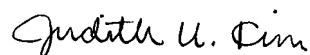
to a method of reducing A β 42 levels which involves potentiating CCE but does not involve affecting a TRP) and claim 33 (as it relates to a method of reducing production of A β 42 which involves potentiating CCE but that does not involve affecting a TRP). For reasons analogous to those set forth in Section A, above, the claims of Groups XV-XVII should be rejoined.

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

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